

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LUIS NIEVES,

Plaintiff,

v.

RON THORNE, et al.,

Defendants.

3:16-CV-01912
(JUDGE MARIANI)

FILED
SCRANTON

OCT 31 2016

PER K-7C
DEPUTY CLERK

ORDER

AND NOW, THIS 31ST DAY OF OCTOBER, 2016, upon review of Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 5) for clear error and manifest injustice¹, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 5) is **ADOPTED** for the reasons stated therein.
2. Plaintiff's request that "criminal charges [be] pressed against the defendants" is **DISMISSED**.
3. The Clerk of Court is directed to serve the Complaint (Doc. 1) on the named defendants in this action.
4. The case is **REMANDED** to Magistrate Judge Carlson for further proceedings consistent with this Order.


Robert D. Mariani
United States District Judge

¹ Objections to Magistrate Judge Carlson's R&R were due by October 17, 2016. Although Plaintiff filed a letter on that day, the letter does not address the contents of the R&R or even the allegations in the Complaint. (See Doc. 8). Rather, the letter raises new issues that the plaintiff is experiencing in prison. Therefore the Court does not deem Plaintiff's letter to be objections to the R&R.